

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

| | | |
|---------------------------------|---|----------------------------------|
| Board of Trustees of the Public |) | |
| School Teachers' Pension and |) | |
| Retirement Fund of Chicago, |) | No. 04-CV-12378-RCL |
| |) | |
| Appellant-Creditor, |) | |
| |) | On appeal from the Bankruptcy |
| v. |) | Court, Case No. 03-14530 (Ch.7), |
| |) | Hon. Joan N. Feeney, presiding. |
| Phillip Hyde, |) | |
| |) | |
| Appellee-Debtor. |) | |

MOTION TO APPEAR AS COUNSEL *PRO HAC VICE*

To Richard L. Blumenthal
Silverman & Kudisch, P.C.
1320 Centre Street
Suite 203
Newton Center, Massachusetts 02459

PLEASE TAKE NOTICE that upon the annexed affidavit of movant in support of this motion, I move this Court before the Honorable Reginald C. Lindsay, pursuant to Rule 83.5.3(b) of the Local Rules of the United States District Court for the District of Massachusetts, for an Order allowing the admission of movant, a partner in the law firm Jacobs, Burns, Orlove, Stanton & Hernandez, and a member in good standing of the Bar of the State of Illinois, as attorney *pro hac vice* to argue or try this case in whole or in part as counsel. There are no pending disciplinary proceedings against me in any State or

Federal court, and I am familiar with the Local Rules of the United States District Court for the District of Massachusetts

Respectfully submitted,

A handwritten signature in dark ink, appearing to read 'William W. Leathem', is written over a horizontal line.

William W. Leathem
Attorney for Appellant-Creditor
Jacobs, Burns, Orlove, Stanton & Hernandez
122 South Michigan Avenue, Suite 1720
Chicago, IL 60603-6145
(312) 372-1676

Dated: November 10, 2004.

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

| | | |
|---------------------------------|---|----------------------------------|
| Board of Trustees of the Public |) | |
| School Teachers' Pension and |) | |
| Retirement Fund of Chicago, |) | No. 04-CV-12378-RCL |
| |) | |
| Appellant-Creditor, |) | |
| |) | On appeal from the Bankruptcy |
| v. |) | Court, Case No. 03-14530 (Ch.7), |
| |) | Hon. Joan N. Feeney, presiding. |
| Phillip Hyde, |) | |
| |) | |
| Appellee-Debtor. |) | |

**DECLARATION OF WILLIAM W. LEATHEM
IN SUPPORT OF MOTION TO ADMIT COUNCIL PRO HAC VICE**

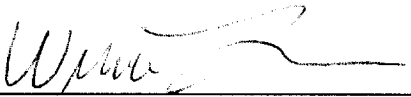
I, William W. Leathem, pursuant to 28 U.S.C. § 1746, declare under penalty of perjury that the following is true and correct::

1. I am a Partner in the Chicago, Illinois law firm of Jacobs, Burns, Orlove, Stanton & Hernandez.
2. I submit this declaration in support of my motion for admission to practice *pro hac vice* in the above captioned matter.
3. I am a member in good standing of the Bar of the State of Illinois, the only state in which I have been admitted to practice.
4. There are no pending disciplinary proceedings against me in any jurisdiction, state or federal.
5. I am familiar with the Local Rules of the United States District Court for the District of Massachusetts.

6. I have never before sought admission *pro hac vice* to appear before this Court, but was admitted *pro hac vice* in the underlying bankruptcy proceeding.

7. Wherefore your affiant respectfully requests that he be permitted to appear as counsel and advocate *pro hac vice* in this case.

Dated: November 10, 2004



William W. Leathem

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

| | | |
|---------------------------------|---|----------------------------------|
| Board of Trustees of the Public |) | |
| School Teachers' Pension and |) | |
| Retirement Fund of Chicago, |) | No. 04-CV-12378-RCL |
| |) | |
| Appellant-Creditor, |) | |
| |) | On appeal from the Bankruptcy |
| v. |) | Court, Case No. 03-14530 (Ch.7), |
| |) | Hon. Joan N. Feeney, presiding. |
| Phillip Hyde, |) | |
| |) | |
| Appellee-Debtor. |) | |

CERTIFICATE OF SERVICE

I, Kathleen Rahbany, hereby certify that on November 11, 2004, I caused copies of the **Admission to Practice Pro Hac Vice, Declaration of William W. Leathem in Support of Motion to Admit Council Pro Hac Vice, and Motion to Appear as Counsel Pro Hac Vice**, to be sent by first class mail, postage prepaid, to:

Richard L. Blumenthal
Silverman & Kudisch, P.C.
1320 Centre Street
Suite 203
Newton Center, Massachusetts 02459


Kathleen Rahbany

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

| | | |
|---------------------------------|---|----------------------------------|
| Board of Trustees of the Public |) | |
| School Teachers' Pension and |) | |
| Retirement Fund of Chicago, |) | No. 04-CV-12378-RCL |
| |) | |
| Appellant-Creditor, |) | |
| |) | |
| v. |) | On appeal from the Bankruptcy |
| |) | Court, Case No. 03-14530 (Ch.7), |
| |) | Hon. Joan N. Feeney, presiding. |
| Phillip Hyde, |) | |
| |) | |
| Appellee-Debtor. |) | |

ADMISSION TO PRACTICE *PRO HAC VICE*

The motion for admission to practice *pro hac vice* in the above captioned matter is granted. The admitted attorney, William W. Leathem, is permitted to argue or try this particular case in whole or in part as counsel or advocate.

This order confirms your appearance as counsel in this case, and it will be entered on the Court's docket. A notation of your admission *pro hac vice* for the above listed case will be made on the roll of attorneys.

The attorney admitted *pro hac vice* must serve a copy of this order on all other counsel in this case.

Dated: _____

Honorable Reginald C. Lindsay
United States District Judge

cc: William W. Leathem
Richard L. Blumenthal
Court file